

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT JOHNSTON, et al.,
Plaintiffs,
v.
FCA USA, LLC,
Defendant.

Case No. 1:20-cv-00631-AWI-SAB

ORDER RE STIPULATION FOR EXTENSION
OF TIME TO RESPOND TO COMPLAINT AND
REQUEST TO CONTINUE SCHEDULING
CONFERENCE

(ECF Nos. 3, 12, 13, 14)

On May 4, 2020, the Court set a scheduling conference to be held on July 28, 2020. (ECF No. 3.) On June 18, 2020, pursuant to the parties' stipulation, the Court extended the time for Defendant to file a responsive pleading until July 23, 2020. (ECF No. 11.) The Court's order stated "[i]f the parties are not in a position to proceed with the scheduling conference set for July 28, 2020, the parties shall notify the Court at least seven (7) days prior to the conference." (Id.)

On July 21, 2020, the parties filed a joint scheduling report. (ECF No. 12.) In the filing, the parties proffered that a stipulation to extend the July 23, 2020 deadline for Defendant to file a responsive pleading was forthcoming. (ECF No. 12 at 8.) The parties also stated that per the Court's June 18, 2020 order (ECF No. 11), "there is no need to proceed with the July 28, 2020 Scheduling Conference at this time, and that such Scheduling Conference may be more productive if continued to a later date." (ECF No. 12 at 9.) On July 21, 2020, the parties also submitted a joint statement regarding the scheduling conference, and state that pursuant to the Court's June 18, 2020 order, the parties "do not believe it is necessary to proceed with the

1 scheduling conference set for July 28, 2020.” (ECF No. 13 at 2.) On July 22, 2020, the parties
2 filed a stipulation requesting an extension of the time for Defendant to file a responsive pleading
3 until July 30, 2020. (ECF No. 14.) The parties state that they are continuing to “engage[] in
4 discussions about the potential transfer of this case to a court where other similar cases are
5 pending.” (ECF No. 14 at 2.)

6 The Court shall continue the scheduling conference for approximately thirty (30) days to
7 allow for Defendant to file a responsive pleading, and for the parties to determine if this action
8 will remain in this Court.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Defendant shall file a responsive pleading on or before July 30, 2020;
- 11 2. The mandatory scheduling conference set for July 28, 2020, is HEREBY
12 CONTINUED to **September 1, 2020, at 11:30 a.m.** in Courtroom 9;
- 13 3. The parties shall file a joint scheduling report seven (7) days prior to the continued
14 date; and
- 15 4. If the parties are not in a position to proceed with the scheduling conference set for
16 September 1, 2020, the parties shall notify the Court at least seven (7) days prior to
17 the conference.

18 IT IS SO ORDERED.

19 Dated: **July 23, 2020**

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22 UNITED STATES MAGISTRATE JUDGE
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